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09/619,401

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Anthony Botzas

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08/16/2006

AGERE SYSTEMS INC.

4 CONNELL DRIVE

BERKELEY HEIGHTS, NJ 07922-2747

EXAMINER

MEHRPOUR, NAGHMEH

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/619,401

Applicant(s)

BOTZAS, ANTHONY

Examiner

Naghmeh Mehrpour

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 8/23/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-3, 5-8, 11-15, 17-20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Coad et al. (US Patent Number 5,966,652) in view of Sands (US Patent Number 6,631,188 B1).

Regarding **claims 1-2, 12, 17-18**, Coad teaches cellular telephone 102 or method of placing a telephone call from a telephone (See figure 2, col 2 lines 21-28), comprising:

a memory (116, 120) adapted to store a telephone number associated with an incoming telephone call (see figure 4, col 6 lines 50-67, col 7 lines 50-57), and

a transmitter 112 adapted to transmit the telephone number to another telephone (see figure 4, col 7 lines 5-8), and

a receiver 110 adapted to receive a different telephone number from the another telephone (See figure 4, col 2 lines 49-53, col 7 lines 30-40). Coad teaches that the incoming call received as a text message, which contains the call back number, and the text message extracted to a/multiple call back number,

a calling unit adapted to place an outgoing (col 4 lines 13-16, lines 38-44).

Coad does not specifically mention that system has caller ID feature, and the call back number is **part of caller ID data corresponding to the incoming telephone call**, and a calling unit place

an outgoing **based on caller ID** (col 4 lines 13-16, lines 38-44). However, Sands teaches a system that an incoming call forward a call to a telephone number wherein the **telephone number is part of caller ID data corresponding to the incoming telephone call** (col 1 lines 40-55), since Coad and Sands both operates in the telephone environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sand with Coad, in order to enable the mobile to rout a voice mail or call forwarding to another number or call back.

Regarding **claim 3**, Coad teaches a telephone comprising wherein in a personal area network (col 4 lines 62-65, col 5 lines 3-6).

Regarding **claim 5**, Coad teaches telephone 102 (See figure 2, col 2 lines 21-28), comprising:

a transmitter 112 adapted to transmit the telephone number to another telephone (see figure 4, col 7 lines 5-8), and

a receiver 110 adapted receive from another telephone, the data corresponding to an incoming call to the other telephone; and

a calling unit adapted to place an outgoing telephone call based on the call back data (col 4 lines 13-16, lines 38-44). Coad does not specifically mention that system has caller ID feature, and the call back number **is part of caller ID data corresponding to the incoming telephone call.**, and a calling unit place an outgoing **based on caller ID**. However, Sands teaches a system that an incoming call forward a call to a telephone number wherein the **telephone number is part of caller ID data corresponding to the incoming telephone call** (col 1 lines 40-55), since Coad and Sands both operates in the telephone environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above

teaching of Sands with Coad, in order to enable the mobile to rout a voice mail or call forwarding to another number or call back.

Regarding **claim 6**, Coad teaches a cellular telephone/telephone 102 further comprising a display 16 adapted for exhibit the telephone number based on the text message (col 4 lines 13-16, col 7 lines 15-30 lines 49-63). Coad does not specifically mention that system has caller ID feature, and a display adapted for exhibit the **caller ID data**. However, Sands teaches a telephone comprising a display adapted for exhibit the **caller ID data (col 3 lines 18-24)**, since Coad and Sands both operate in the telephone environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sand with Coad, in order to enable the mobile to rout a voice mail or call forwarding to another number or call back.

Regarding **claim 7**, Coad teaches a telephone wherein a user input unit adapted to receive a user instruction regarding the placement of the outgoing call (col 4 lines 13-16, lines 38-44, col 7 lines 49-63).

Regarding **claim 8**, Coad teaches a telephone wherein is a PSTN based telephone (col 3 lines 41-50).

Regarding **claims 11, 13**, Coad teaches a telephone/method wherein the telephone is another cellular telephone (col 3 lines 61-65).

Regarding **claim 14**, Coad teaches a method wherein the receiving call information comprises **receiving over a wireless link (col 3 lines 29-31), call related information from another telephone (col 2 lines 49-53); and placing an outgoing call based on the call related information (col 2 lines 55-58);**

**wherein the other telephone is a cellular telephone (col 2 lines 49-55); and**

a telephone number associated with a telephone call previously received by the other telephone (col 4 lines 19-21, col 7 lines 54-58)..

Regarding **claim 15**, Coad teaches a method wherein the wireless link is part of a personal area network (col 4 lines 62-65, col 5 lines 3-6).

Regarding **claims 19-20**, Coad teaches a cellular telephone/telephone 102 further comprising a display 16 adapted for exhibit and store the telephone number, and means for receiving user input regarding the placement of the outgoing call to the received telephone number (col 4 lines 13-16, col 7 lines 15-30 lines 49-63).

3. **Claims 4, 9-10, 16**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Coad et al. (US Patent Number 5,966,652) in view Sands (US patent Number 6,631,188 B1) in further view of Bell (US 202/00449073 A1).

Regarding **claims 4, 16**, Coad fails to teach that the transmitter is in a blue tooth network.

However Bell teaches wireless communication system having a PCS or cellular mode and a cordless mode, further Bell teaches the cellular systems may be **telephone number is part of caller ID data corresponding to the incoming telephone call** (page 1 section 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine above teaching of Bell with Coad, in order to enable the mobile to roam between the cordless and cellular system at lower cost by using Blue tooth technology. Coad modify with Bell does not teach that the call back number **is part of caller ID data corresponding to the incoming telephone call**, and a calling unit place an outgoing **based on caller ID** (col 4 lines 13-16, lines 38-44). However, Sands teaches a system that an incoming call forward a call to a

telephone number wherein the **telephone number is part of caller ID data corresponding to the incoming telephone call (col 1 lines 40-55)**, since Coad and Sand both operates in the telephone environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the above teaching of Sands with Coad, in order to enable the mobile to rout a voice mail or call forwarding to another number or call back.

Regarding **claim 9**, Coad fails to teach a telephone is a cordless telephone. However Bell teaches wireless communication system having a PCS/cellular mode and a cordless mode wherein in the case that cellular mode operates, Blue tooth technology may be used (page 1 section 0016). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine above teaching of Bell with Coad, in order to enable the mobile to roam between cordless and cellular systems, by using Blue tooth that permits short-range wireless voice and data links between the devices with lower cost.

Regarding **claims 10**, Coad fails to teach a telephone wherein the receiver is a handset of the cordless telephone. However Bell teaches wireless communication system having a PCS or cellular mode and a cordless mode wherein the dual mode handset 110 is connectable to a remote telephone 120 through a cellular network 130. The cellular network 130 includes at least a cellular base station, and a public switch telephone network (PSTN). A wireless link connects the dual mode handset 110 to the cellular network 130 through an air interface, and a wired link connects the cellular network 130 to the PSTN 140 (see figure 1, page 1 section 0016). The handset 110 includes interconnected elements, such as a cellular RF section 210, a cordless RF section 215, a cellular RF section 220 and a user interface 225. As it is well known in the art, each RF section 215, 220 includes a transmitter and receiver coupled to a respective antenna 230,

235, through a duplexer (see figure 2, page 2 section 0018). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine above teaching of Bell with Coad, in order to provide a wireless communication link establishes between a mobile phone and a remote terminal device through a cordless or a cellular base station with lower cost.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-20, have been considered but are moot in view of the new ground(s) of rejection.

#### **Conclusion**

5. **Any responses to this action should be mailed to:**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naghmeh Mehrpour whose telephone number is 571-272-7913.

The examiner can normally be reached on 8:00- 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro be reached (571) 272-7876.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NM

August 11, 2006

A handwritten signature in black ink, consisting of a series of loops and flourishes, likely representing the initials 'N.M.' or a similar monogram.